

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Thomas Rao, an individual,

Civ. No. 19-923 (MJD/BRT)

Plaintiff,

v.

St. Jude Medical S.C., Inc., a Minnesota
corporation; and Abbott Laboratories, an
Illinois corporation,

**ORDER ON PLAINTIFF'S
MOTION TO COMPEL**

Defendants.

This matter is before the Court on Plaintiff's Motion to Compel Discovery Responses, wherein Plaintiff seeks to compel responses to Interrogatory No. 14 and Interrogatory 25. (Doc. No. 144.) Through the meet and confer process, Plaintiff modified their requests as to both of those Interrogatories.

The Court has carefully reviewed the discovery requests and finds that the list of matters sought in Interrogatory No. 14, as modified, and the list and description of counterclaims sought in Interrogatory No. 25, as modified, are not sufficiently relevant to any party's claim or defense and are not proportional to the needs of the case. Obtaining these lists, by themselves, are not important to resolving the issues raised in this case. And to gain further information about these matters—which was not requested by these interrogatories and would require further discovery, and which relevance is only speculative at this point—would require the resurrection of the fact

discovery deadline. No motion to amend the schedule is before the court; and no good cause to amend the schedule was made in the present motion.

Further, the Court notes that these Interrogatory requests were served many, many months ago, and Plaintiff only recently, near the end of discovery, sought Court intervention. However, even if Plaintiff's motion had been brought more promptly, Interrogatory Nos. 14 and 25 (even as modified) seek responsive information for a 10-year period for both Abbott and St. Jude on a national scale. These requests, as modified, remain overly broad and are likely to capture large swaths of irrelevant information. In addition, Defendants have sufficiently quantified their burden in the Declaration of Margaret Moretinni. (Doc. No. 160.) In addition to finding the requests overly broad, the burden and expense of searching for and producing the requested discovery outweighs the likely benefit of discovering the list of matters responsive to Interrogatory No. 14 and the list and description of counterclaims responsive to Interrogatory No. 25.

Accordingly, based on the file, record, and submissions herein, the argument of counsel, and Federal Rule of Civil Procedure 26, **IT IS HEREBY ORDERED** that Plaintiff's Motion to Compel Discovery Responses (Doc. No. 144) is **DENIED**.

Dated: March 24, 2021

s/ Becky R. Thorson

BECKY R. THORSON

United States Magistrate Judge